

Law Governing Hearing Procedures

3 AAC 110.560 COMMISSION HEARING PROCEDURES.

(a) The chairperson of the commission will preside at the hearing, and will regulate the time and the content of testimony to exclude irrelevant or repetitious testimony. The hearing must be recorded and the tapes preserved by the department. Two members of the commission constitute a quorum for purposes of a hearing under this section.

(b) A hearing will, in the commission's discretion, include

(1) a report with recommendations from the department;

(2) an opening statement by the petitioner, not to exceed 10 minutes in length;

(3) a period of public comment by interested persons, not to exceed five minutes for each person;

(4) sworn testimony of witnesses called by the petitioner;

(5) sworn testimony of witnesses called by respondents who have filed briefs under 3 AAC 110.480 ;

(6) sworn responsive testimony of witnesses called by the petitioner;

(7) a closing statement by the petitioner, not to exceed 10 minutes in length;

(8) a closing statement by the respondents who testified under (5) of this subsection, not to exceed 10 minutes in length for each respondent; and

(9) a reply by the petitioner, not to exceed five minutes in length.

(c) A member of the commission may question a person appearing for public comment or as a sworn witness. The commission will, in its discretion, call additional witnesses.

(d) A brief or document may not be filed at the time of the public hearing unless the commission determines that good cause exists for that evidence not being presented in a timely manner for written response by the petitioner or respondents, and for consideration in the report and recommendations of the department.

(e) The commission will, in its discretion, amend the order of proceedings and change allotted times for presentations if amendment of the agenda will promote efficiency without detracting from the commission's ability to make an informed decision.

History - Eff. 7/31/92, Register 123, Authority - Alaska Const., art. X, sec. 12, AS 29.05.090, AS 29.06.040, AS 29.06.120, AS 29.06.490, AS 44.33.812, AS 44.33.814, AS 44.33.816, AS 44.33.818, AS 44.33.820, AS 44.33.822, AS 44.33.826, AS 44.33.828